

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**

FEB 10 2005

DAVID BILLUPS, )  
Plaintiff-Appellant, )  
v. )  
JAMES MCWEENEY, MD, et al., )  
Defendants-Appellees. )

LEONARD GREEN, Clerk

ORDER

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Before: MERRIT, MOORE, and GILMAN, Circuit Judges.

The appellees have moved to dismiss this appeal as moot because of the death of the appellant, David Billups. Billups filed a prisoner civil rights action in June 2001. The district court dismissed the case in April 2004, and Billups appealed. The appellees submitted a police report indicating that Billups died on May 27, 2004. Accordingly, we grant the appellees' motion and dismiss the appeal.

ENTERED BY ORDER OF THE COURT

Leonard Green  
Clerk

A TRUE COPY

Attest:

LEONARD GREEN, Clerk

By

Deputy Clerk